

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

October 30, 2001

Teligent Services, Inc.
Request to Abandon Service

ORDER GRANTING
AUTHORITY TO ABANDON
SERVICE

Docket No. 2001-619

TAC License Corp.
Petition for Finding of Public Convenience
and Necessity to Provide Service as a
Interexchange Telephone
Utility

ORDER GRANTING
AUTHORITY TO
PROVIDE INTEREXCHANGE
SERVICE

Docket No. 2001-660

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

On September 6, 2001, Teligent Services, Inc. (Teligent) and TAC License Corp. (TAC)¹ filed a joint application requesting the Commission to grant such authority as may be necessary for Teligent to “assign” its authority to provide interexchange service to TAC. The authority for Teligent to provide interexchange service was granted in Docket No. 99-370 (and to a predecessor of Teligent Services, Inc. (Teligent, Inc.) in Docket No. 98-890).

The present application constitutes a request by Teligent to abandon service and an application by TAC for a finding of public convenience and necessity to provide the same service now being provided by Teligent. In addition, TAC will be purchasing most of the assets of Teligent. Teligent needs approval to transfer those assets pursuant to 35-A M.R.S.A. § 1101(1), to the extent any of that property is used to provide Maine intrastate telephone service.

The applicants have stated that the service, rate schedules and terms and conditions of the successor entity TAC will be identical to those of Teligent, the public utility that is abandoning service. Upon completion of the transactions described in the application (including those we approve in this order), TAC will change its name to Teligent Services, Inc. Accordingly, there will be no need for the new public utility TAC, T/B/K/A Teligent to file new rate schedules or terms and conditions.

By this order we grant authority to TAC to provide interexchange service [as a reseller] subject to all provisions of the order granting authority to provide such service to Teligent.

Wherefore, we

¹TAC is also identified in the application as “New TSI.”

ORDER

1. That the request, pursuant to 35-A M.R.S.A. § 1104, by Teligent Services, Inc. to abandon service is hereby granted, effective on the date of commencement to service by TAC License Corp.;
2. That the request, pursuant to 35-A M.R.S.A. § 1101(1), by Teligent Services, Inc. to transfer assets to TAC License Corp. is hereby granted;
3. That the petition, filed pursuant to 35-A M.R.S.A. § 2102, of TAC License Corp. for a finding of public convenience and necessity to provide interexchange public utility telephone service is hereby granted; TAC License Corp. shall be bound by and subject to all provisions, including the ordering paragraphs, of the orders granting authority to Teligent Services, Inc. in Docket Numbers 98-890 and 99-370;
3. That TAC License Corp. does not need to file new rate schedules and terms and conditions, provided that it changes its name to Teligent Services, Inc.;
4. That TAC License Corp. shall provide notice when it commences service and when it has changed its name to Teligent Services, Inc.

Dated at Augusta, Maine this 30th day of October, 2001.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
Nugent
Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.